

**CITY OF GROVE CITY, OHIO
PLANNING COMMISSION MINUTES**

REGULAR MEETING

November 8, 2011

The meeting was called to order at 1:31 p.m.

Chair Holt began the Meeting with a moment of silence and the Pledge of Allegiance. Roll was taken with the following members present: Mr. Marv Holt, Mr. Dan Havener, Mr. Mike Linder, and Mr. Phil Honsey. Mr. Leasure was excused from the meeting. Others present: Kyle Rauch, Planning and Development Officer; Jennifer Readler, SZD; Mike Boso, Chief Building Official; Chuck Boso, Development Director; Christy Zempter, Planning and Zoning Coordinator; Jodee Lowe, Urban Forester; Tami Kelly, Clerk of Council; Lt. Bill Dolby, Jackson Twp. Fire, and Molly Frasher, Secretary.

Chair Holt noted a quorum was present. There were no changes to the minutes of the October 4, 2011 regular meeting. They were approved by unanimous consent.

A fourth item was added to the agenda via unanimous vote, China Bell (Ciminello Tree Lot) – Special Use Permit (Outdoor Sales) (PID# 201111070032).

Item #1 – Daystarz Child Care Center – Special Use Permit (Day Care Facility) (PID# 201109130028)

The applicant is proposing to operate a child care facility at 3946 Broadway, part of a multi-tenant structure in the Town Center. The facility will offer child care services for infant, toddler, preschool and school-age children from 6 weeks to 10 years of age and will operate from 6:00am to 6:00pm Monday through Friday. The applicant has indicated that 40 children will be able to be cared for on the site in four classrooms, and seven staff members will be employed (six teachers and one director).

The applicant is also proposing an outdoor play area as part of the child care facility. The play area will be approximately 20'x30' and will contain state approved playground toys and other small outdoor toys. The proposed play area is located on an adjacent property (040-000866); however the applicant has submitted an agreement with the owner of this property stating that the use of the property for a gated play area is acceptable. The applicant is proposing to enclose the play area with wood fencing, though details on this fence have not been provided to staff. Mr. Rauch stated that in order to match fencing utilized at other child care facilities in the HPA, staff recommends utilizing decorative black metal fencing.

There is no parking available on the site; therefore the applicant is proposing to utilize the properties to the south (040-000207 and 040-000603) for the pick-up and drop-off of children, as well as for staff and customer parking. The applicant has submitted a signed agreement with the adjacent land owner to use their parking facilities to accommodate customer and employee parking.

The applicant, Donyette Dunlap and her husband Darryl Dunlap, spoke to the item. Ms. Dunlap stated that they could care for 40 to 62 children at the facility.

Mr. Honsey suggested putting all of these stipulations into a relevant exhibit to present to Council. He would like to discuss how to organize all stipulations as exhibits. There was discussion on future application stipulations being presented as exhibits to both the Planning Commission and Council.

Mr. Linder inquired about the drop-off and pick-up times and any foreseeable traffic issues. Ms. Dunlap stated that although pick up and drop off is between 6am and 6pm, all children will not be picked up and dropped off at the same time, because of differences in parents' schedules. Mr. Rauch stated that staff examined other uses permitted in the CBD and felt that the traffic and parking would be similar to that of other permitted uses such as restaurants and that other uses require parking for a longer duration of time, as opposed to pick up and drop off as proposed by the applicant. Mr. Rauch stated that the agreement with the property owner to the south should be recorded with Franklin County in order to formalize the agreement.

Mr. Rauch stated that public parking is available on Broadway as well as south of Columbus Street. He also stated that both Dublin and Westerville have child care facilities within their historic areas.

Chair Holt noted the following stipulations:

1. Black metal decorative fencing shall surround the outdoor play area; fencing must meet child safety codes and be reviewed by the Development Department.
2. The access/use documents between Daystarz and the property owner to the south shall be formalized and recorded with the County Recorder's office.
3. If the applicant ceases business operations, the applicant is responsible for removing all outdoor playground equipment and fencing around the play area prior to closing the business.
4. Stipulations 1 and 2 shall be addressed prior to appearing before City Council on November 21, 2011.

The applicant was agreeable to the noted stipulations.

Further discussion was had regarding preparing exhibits for City Council and the proper procedure to ensure that all necessary documents are collected to meet stipulations before being heard by Council.

Mr. Honsey made a motion to vote to recommend for approval the special use permit with the noted stipulations, Mr. Havener seconded and the vote was unanimously approved.

Item #2 – City Barbeque - Development Plan

(PID #201109280030)

The applicant is proposing building and site improvements to 2261 Stringtown Road, the future site of City Barbeque. The improvements include construction of an outdoor patio and modifications to circulation on and access to the site. The proposed patio and supplemental landscaping will extend from the western edge of building into the existing drive aisle, closing the drive aisle to vehicular traffic.

City Barbeque also proposes to install three smokers to the south of the patio seating area. The smokers will have a decorative fence as screening; however will not be treated as service structures and therefore have not been required to have supplemental landscaping installed around the perimeter of the fencing.

To allow for the circulation of traffic on the site with the closing of the western drive aisle, a new vehicular entrance to the site is proposed, accessed from the property to the south. A sidewalk currently exists at the location of the new drive aisle, which will be removed to create the new 24' curb cut for access to the City Barbeque site. The applicant is currently drafting an access easement with the owner of the property to the south (040-007496) for access to the site.

The number of parking spaces will not be impacted by the construction of the patio, and the installation of the curb cut along the south property line will allow for complete circulation of traffic on the site.

Don Feibel and John Marquart represented City Barbeque.

Mr. Linder questioned Lt. Dolby about access and circulation on the site. Lt. Dolby responded that they had no concerns.

Chair Holt questioned the smokers and screening. Mr. Feibel said that the smokers are a trademark of City Barbeque and said that they did not want to screen them so that they would be visible to customers.

Ms. Lowe stated that wire cages need to be removed from plantings. She commended the applicant for installing a rain garden but stated that there should be more plant material in the rain garden. Mr. Feibel stated that he was not familiar with rain gardens but stated that he would work with the city to ensure that it is properly installed.

Chair Holt noted the following stipulations:

1. The easement shall be filed with the Franklin County Recorder's office
2. The applicant shall work with the Urban Forester on plantings for the rain garden

Mr. Linder made a motion to vote to recommend for approval the development plan with the noted stipulations, Mr. Havener seconded and the vote was unanimously approved.

Item #3 – Parker’s Tavern – Certificate of Appropriateness (Exterior Modifications) (PID# 201110250031)

The applicant is proposing to install a covering over the outdoor patio behind Parker’s Tavern, at 3998 Broadway. The structure is sixteen feet tall at the peak of the roofline and approximately 9.7 feet tall at the roof base, with a 6/12 pitch. The structure will feature dimensional shingles and the wood will be painted to match the existing fencing around the outdoor seating area.

Mr. Keith Parker was present and spoke to the item. Mr. Parker currently has a temporary tent structure serving as a patio cover. Mr. Honsey questioned the height of the existing structure. Mr. Parker said that it was roughly 12 feet tall.

Mr. Rauch stated that staff looked at potential visibility from Broadway and the rear of the structure. From the rear of the structure, the proposed cover will aid in screening rooftop mechanicals and based on speed limit on the road, the cover will likely be visible for only a couple seconds from Broadway.

Mr. Honsey made a motion to vote to recommend for approval the certificate of appropriateness, Mr. Havener seconded and the vote was unanimously approved.

Item 4 – China Bell (Ciminello Tree Lot) – Special Use Permit (Outdoor Sales) (PID# 201111070032)

The applicant is requesting a special use permit for the sale of seasonal merchandise at China Bell, located at 1947 Stringtown Road. Items to be sold and displayed include Christmas trees and wreaths. These items will be placed within a 50’ by 50’ portion of the parking lot and contained within a temporary fenced area (finished white). This seasonal operation will run from Friday, November 25th to Saturday December 24th from 10am to 9pm daily.

Mr. Joe Ciminello was present and spoke on the item. Mr. Ciminello distributed an exhibit showing the proposed area to be fenced for sales as well as a 4’x8’ sign. Mr. Rauch stated that the proposed 4’ by 8’ sign was not discussed prior due to lack of time but that because the sign would be located in a straight zoning district, it would be handled by the Building Division.

Mr. Ciminello asked that the area shown on the new exhibit be used for the approval and not the area initially submitted to staff. The initial submission proposed dimensions of 50’x50.’ Mr. Ciminello did not know the dimensions of the newly proposed area shown on the updated exhibit. Mr. Rauch stated that the area could be measured in GIS, so the dimensions would be known before the item was sent to City Council.

Chair Holt inquired about parking and whether or not it would be permitted in the landscape area that the sale area is proposed on. The applicant said that parking would not be in the landscape area and would utilize the China Bell parking lot.

Mr. Linder questioned the time-frame of operations of the permit and it was decided the permit was only effective from November 25 through December 24th from 10am to 9pm daily. Chair Holt noted that there was no need to stipulate the dates for which the permit would be effective because the dates are outlined in the application. Ms. Kelley stated that the dates should be stipulated so that it would appear on the approving Ordinance. Ms. Readler clarified that the record of the item is comprised of all documents including application and staff reports. Mr. Honsey stated that he agreed with Ms. Kelley and that the dates should be included as stipulations.

Chair Holt noted the following stipulations:

1. The applicant shall work with the Building Division to review proposed signage on the site.
2. The seasonal sale of items shall be contained within the area shown on the updated exhibit provided by Mr. Ciminello, which shall be labeled with dimensions on a new exhibit before being reviewed by City Council.
3. The special use permit shall be effective for the hours of 10am to 9pm and from November 25th to December 24th, 2011.

Mr. Honsey made a motion to recommend for approval the special use permit with the noted stipulations, Mr. Havener seconded and the vote was unanimously approved.

Ms. Kelly spoke on how the records were kept with Council. The applications are kept on file as permanent documents. The item listing, description and number are kept but not attached to the ordinance when presented to Council. The documents are in the Clerk's office. Mr. Honsey suggested labeling exhibits for the Council packages to accompany the applications and ordinances. Ms. Readler described some of the challenges of stipulations versus Code requirements. Staff will discuss the issues and determine the most effective way to distribute materials to City Council.

Having no further business, Chair Holt adjourned the meeting at 2:28 p.m.

Molly Frasher, Secretary

Marv Holt, Chair